


MAR 14 2008

JOHN F. CORCORAN, CLERK
BY: 
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONHECTOR LOUIS GUILLEN,
Plaintiff,

v.

CHRIS BARTEE, et al.,
Defendants.)
)
)
)
)
)
)
)

Civil Action No. 7:07cv00236

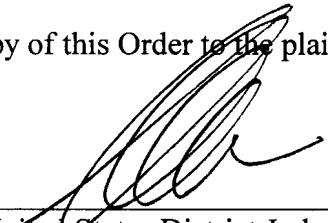
FINAL ORDER ADOPTING REPORT
AND RECOMMENDATIONBy: Samuel G. Wilson
United States District Judge

Hector Louis Guillen brings this suit pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), with jurisdiction vested pursuant to 28 U.S.C. § 1331, claiming that he was denied medical care with regard to a fracture on his index finger. Defendants filed a motion to dismiss, or in the alternative, for summary judgment, and the court referred the matter to United States Magistrate Judge Michael F. Urbanski for a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge subsequently filed a report, finding that Guillen failed to demonstrate that the defendants acted with deliberate indifference and recommending that the court grant the defendants' motion for summary judgment. Neither party has filed objections. Having reviewed the Magistrate Judge's Report and Recommendation and pertinent portions of the record, the court agrees with the Magistrate Judge's recommendation.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's Report and Recommendation is **ADOPTED** in its entirety; defendants' motion for summary judgment is **GRANTED**; and this matter is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This 17th day of March, 2008.



United States District Judge